

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

**NATIONAL UNION FIRE INSURANCE  
COMPANY OF PITTSBURGH, PA,**

**Plaintiff,**

**v.**

**CIVIL ACTION NO. 2:18-mc-00048**

**SOUTHERN COAL CORPORATION,**

**Defendant.**

**JOINT STATUS REPORT**

As ordered by the Court during the November 13, 2019 telephonic conference, the parties provide the following status report to the Court:

1. Counsel for the Plaintiff provided clarification and additional discovery requests to the Defendant by letter dated November 15, 2019;
2. Counsel for the Defendant responded on November 27, 2019 and indicated that the Defendant intended to provide responses to the November 15, 2019 request by December 6, 2019. Defense counsel also sought clarification on one of the requests and indicated that certain bank statements may not be available by December 6, 2019, but would be produced as soon thereafter as received.
3. The parties also set aside January 22 and 23, 2020 for depositions in this case. The parties agree to the deposition of James C. Justice, III, but have not been able to reach an agreement as to whether the Plaintiff is entitled to depose Jillean Justice. Consequently, the Plaintiff intends to seek an Order from the Court relating to this deposition.

4. Counsel for the Plaintiff has approved the contents of this Joint Status Report.

Respectfully Submitted,

SOUTHERN COAL CORPORATION,

By Counsel:

/s/ Christopher D. Pence

Christopher D. Pence (WVSB No. 9095)

Hardy Pence PLLC

10 Hale Street, 4<sup>th</sup> Floor

P. O. Box 2548

Charleston, WV 25329

Phone: (304) 345-7250

Fax: (304) 553-7227

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

**NATIONAL UNION FIRE INSURANCE  
COMPANY OF PITTSBURGH, PA,**

**Plaintiff,**

**v.**

**CIVIL ACTION NO. 2:18-mc-00048**

**SOUTHERN COAL CORPORATION,**

**Defendant.**

**CERTIFICATE OF SERVICE**

I, Christopher D. Pence, hereby certify that on this 27<sup>h</sup> day of November 2019, I served a true copy of the foregoing *Joint Status Report* upon all parties of record via the Court's electronic filing system.

/s/ Christopher D. Pence  
Christopher D. Pence (WVSB No. 9095)